S.I

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,194	10/29/2001	Garland Phillips	29505/PF02194NA	5086

29978 7590 05/15/2003

MARSHALL, GERSTEIN & BORUN (MOTOROLA)
233 SOUTH WACKER DRIVE
SUITE 6300
CHICAGO, IL 60606-6402

EXAMINER	
WEST, LEWIS G	

ART UNIT	PAPER NUMBER
2682	9

DATE MAILED: 05/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

S.E

Office Action Summary	Application No.	Applicant(s)	
	10/055,194	PHILLIPS ET AL.	
	Examiner	Art Unit	
	Lewis G. West	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-30 rejected under 35 U.S.C. 102(e) as being anticipated by Aravamudan et al (US 6,301,609).

Regarding claim 1, Aravamudan discloses, in a communication system, the communication system providing real-time communication service to a plurality of subscribers, wherein a first subscriber is in communication with a second subscriber, a method for providing operating information associated with a wireless device to the second subscriber comprising: providing real-time communication service to a first device and a second device, the first device being a wireless device; receiving operating information associated with the first device; and transmitting the operating information to the second device. (Col. 6 lines 64-Col. 7 line 40)

Regarding claim 2, Aravamudan discloses the method of claim 1, wherein providing the real-time communication service to a first device and a second device comprises providing one of instant messaging service and group chat service to a first device and a second device. (Col. 6 line 64- col. 7 line 20)

Regarding claim 3, Aravamudan discloses the method of claim 1, wherein receiving operating information associated with the first device comprises receiving operating information

associated with the first device in response to a trigger event, wherein the trigger event comprises one of a registration, a subscriber input and a change in status. (Col. 7 line 21-40)

Regarding claim 4, Aravamudan discloses the method of claim 1, wherein receiving operating information associated with the first device comprises receiving one of status information and resource information associated with the first device.(Col. 7 lines 21-40)

Regarding claim 5, Aravamudan discloses the method of claim 1, wherein receiving operating information associated with the first device comprises receiving information associated with one of bandwidth, display capability, input capability, link type, link cost, device type, latency, power, location and operating mode of the first device. (Col. 9 lines 45-63)

Regarding claim Aravamudan discloses 6, the method of claim 1, wherein receiving operating information associated with the first device comprises receiving operating information associated with one of a cellular telephone, a pager, and an electronic planner. (Col. 3 lines 26-37)

Regarding claim 7, Aravamudan discloses the method of claim 1, wherein transmitting the operating information to the second device comprises transmitting the operating information to a device operable to generate one of an icon, a graphic image, a textual message, and an audio message based on the operating information. (Col.7 lines 21-40)

Regarding claim 8, Aravamudan discloses the method of claim 1, wherein transmitting the operating information to second device comprises transmitting the operating information to one of a wireless electronic device and a wired electronic device. (Col. 3 lines 26-37; col. 7 lines 21-40)

Regarding claim 9, Aravamudan discloses in a communication system, the communication system providing realtime communication service to a plurality of subscribers, wherein a first subscriber is in communication with a second subscriber, and wherein a communication network is adapted to provide operating information associated with a wireless device to the second subscriber (Col. 6 lines 64-Col. 7 line 40), the communication network comprising: a memory; a communication server coupled to the memory, the real-time communication server being operable to provide real-time communication service to a first device and a second device, the first device being a wireless device; the communication server being operable to receive operating information associated with the first device, and the communication server being operable to transmit the operating information to the second device. (Col. 3 lines 53-Col. 4 line 53)

Regarding claim 10, Aravamudan discloses the communication network of claim 9, wherein the communication server comprises a server being operable to provide one of instant messaging service and group chat service to a first device and a second device. (Col. 6 line 64-col. 7 line 20)

Regarding claim 11, Aravamudan discloses the communication network of claim 9, wherein the real-time communication server comprises a real-time communication server being operable to receive operating information associated with the first device in response to a trigger event, the trigger event being one of a registration, a subscriber input, and a change in status. (Col. 7 line 21-40)

Regarding claim 12, Aravamudan discloses the communication network of claim 11, wherein the registration includes the operating information associated with the first device. (Col. 7 line 21-40)

Regarding claim 13, Aravamudan discloses the communication network of claim 9, wherein the operating information associated with the first device comprises one of status information and resource information associated with the first device. (Col. 7 line 21-40)

Regarding claim 14, Aravamudan discloses the communication network of claim 9, wherein the operating information comprises information associated with one of bandwidth, display capability, input capability, link type, link cost, device type, latency, power, location and operating mode of the first device. (Col. 9 lines 45-63)

Regarding claim 15, Aravamudan discloses the communication network of claim 9, wherein the operating information associated with the first device comprises operating information associated with of one of a cellular telephone, a pager, and an electronic planner.

Regarding claim 16, Aravamudan discloses the communication network of claim 9, wherein the communication network comprises an Internet Protocol (IP) network. (Col. 3 lines 63-66)

Regarding claim 17, Aravamudan discloses in a communication system, the communication system providing realtime communication service to a plurality of subscribers, wherein a first subscriber is in communication with a second subscriber, a method for providing operating information associated with a wireless device to the second subscriber comprising: participating in real-time communication service with a first device, the first device being a wireless device; receiving operating information associated with the first device; and generating

an indication based on the operating information associated with the first device. (Col. 6 lines 64-Col. 7 line 40)

Regarding claim 18, Aravamudan discloses the method of claim 17, wherein participating in real-time communication service with the first device comprises participating in one of instant messaging service and group chat service with the first device. (Col. 6 line 64- col. 7 line 20)

Regarding claim 19, Aravamudan discloses the method of claim 17, wherein receiving operating information associated with the first device comprises receiving information associated with one of bandwidth, display capability, input capability, link type, link cost, device type, latency, power, location and operating mode of the first device. (Col. 9 lines 45-63)

Regarding claim 20, Aravamudan discloses the method of claim 17, wherein receiving operating information associated with the first device comprises receiving operating information associated with one of a cellular telephone, a pager, and an electronic planner. . (Col. 3 lines 26-37)

Regarding claim 21, Aravamudan discloses the method of claim 17, wherein generating an indication based on the operating information associated with the first device comprises generating an icon, a graphic image, a textual message, and an audio message based on the operating information. (Col. 7 line 21-40)

Regarding claim 22, Aravamudan discloses in a communication system for providing real-time communication service to a plurality of subscribers, wherein a first subscriber is in communication with a second subscriber, and wherein a server operates in accordance to a computer program embodied on a computer-readable medium for providing operating information associated with a wireless device to the second subscriber, the computer program

comprising: a first routine that directs the server to provide real-time communication service to a first device and a second device, the first device being a wireless device; a third routine that directs the server to receive operating information associated with the first device; and a third routine that directs the server to transmit the operating information to the second device. (Col. 6 lines 64-Col. 7 line 40)

Regarding claim 23, Aravamudan discloses the computer program of claim 22, wherein the first routine comprises a routine that directs the server to provide one of instant messaging service and group chat service to a first device and a second device. (Col. 6 line 64- col. 7 line 20)

Regarding claim 24, Aravamudan discloses the computer program of claim 22, wherein the second routine comprises a routine that directs the server to receive operating information associated with the first device in response to a trigger event, the trigger event comprises one of a registration, a subscriber input and a change in status. (Col. 7 line 21-40)

Regarding claim 25, Aravamudan discloses the computer program of claim 22, wherein the second routine comprises a routine that directs the server to receive one of status information and resource information associated with the first device. (Col. 7 line 21-40)

Regarding claim 26, Aravamudan discloses the computer program of claim 22, wherein the second routine comprises a routine that directs the server to receive information associated with one of bandwidth, display capability, input capability, link type, link cost, device type, latency, power, location and operating mode of the first device. (Col. 9 lines 45-63)

Regarding claim 27, Aravamudan discloses the computer program of claim 22, wherein the second routine comprises a routine that directs the server to receive operating information

associated with one of a cellular telephone, a pager, and an electronic planner. . (Col. 3 lines 26-37)

Regarding claim 28, Aravamudan discloses the computer program of claim 22, wherein the third routine comprises a routine that directs the server to transmit the operating information to a device operable to generate one of an icon, a graphic image, a textual message, and an audio message based on the operating information. (Col. 7 line 21-40)

Regarding claim 29, Aravamudan discloses the computer program of claim 22, wherein the third routine comprises a routine that directs the server to transmit the operating information to one of a wireless electronic device and a wired electronic device. . (Col. 3 lines 26-37; Col. 7 line 21-40)

Regarding claim 30, Aravamudan discloses the computer program of claim 22, wherein the medium comprises one of paper, a programmable gate array, application specific integrated circuit, an erasable programmable read only memory, read only memory, random access memory, magnetic media, and optical media. . (Col. 3 lines 26-37)

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reed et al (US 6,275,707 B1) is cited as a state of the art reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Lewis West
(703) 308-9298
May 8, 2003

VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600